

REMARKS

This application contained claims 1-42, as filed. Claims 21, 26, 27 and 33 have been canceled and new claims 43-46 are added. Claims 21, 26, 27 and 33 are canceled without prejudice in view of the restriction requirement and in order to avoid the payment of excess claims fees for added claims.

New claims 43-45 are method claims which depend from claim 34. Claim 46 is a claim to a xyloglucan conjugate which depends from claim 17. The new claims are fully supported by the application as filed and do not represent addition of new matter. Claim 36 has been amended to delete the recitation of "xyloglucan fragment." This amendment is believed to improve antecedent basis in claim 36.

The Examiner has required restriction of the claims into four groups and also required an election of species. Applicants elect prosecution of the claims of Group VI (claims 34-42) with traverse. New claims 43-45 read on the elected invention. New claim 46 reads on the Group II claims.

Applicants further elect the species in which the functional group is an antimicrobial agent. It is believed that for the Group VI claims that there is no need to elect an enzyme from the list of claim 28.

The Examiner alleged that the claims do not possess unity of invention because the special technical feature that links the claims is a xyloglucan conjugate which is known in the art.

As a first matter, Applicants refer to the International Preliminary Report on Patentability and the International Search Report of PCT /US04/11797 of which the present application is a U.S. National Stage. Claims 1-42 as pending herein were under consideration in that PCT application and no issue of lack of unity of invention was raised at the International Stage. The standard with respect to unity of invention in this National Stage application should be the same as applied in the PCT application, thus in view of the absence of a unity of invention objection at the

International Stage, it is believed that unity of invention should be considered to be met in the present National Stage application.

Further, Applicants submit that xyloglucan conjugates can properly function as the special technical feature which links the claims because the conjugates represent a contribution over the prior art in the context of the claims herein. Applicants claims include various xyloglucan conjugates including those having a functional group which is an antimicrobial agent. New claim 46 emphasizes this. Applicants submit that xyloglucan conjugates as claimed, included conjugates which represent a contribution to the art. Applicants respectfully request withdrawal of the requirement for restriction.

Applicants also make the election of species with traverse. The claims contain claims such as claim 34 which are allowable generic claims that properly link the various species. Applicant is entitled to examination of a reasonable number of species. Applicants respectfully request withdrawal of the requirement for election. Further, Applicants respectfully request examination of a reasonable number of species encompassed by generic claims herein.

This response is accompanied by a Petition for Extension of Time of Two Months. The Patent Office is authorized to deduct the required fee which is believed to be \$225.00 for a small entity, and deduct any deficiency thereof, from Deposit Account No. 07-1969.

Respectfully submitted,

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